

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA, *ex rel.*  
DILBAGH SINGH, M.D.,  
PAUL KIRSCH, M.D.,  
V. RAO NADELLA, M.D., and  
MARTIN JACOBS, M.D.,**

## Relators,

**V.**

**Civil Action No. 04-186E**

**BRADFORD REGIONAL  
MEDICAL CENTER,  
V & S MEDICAL ASSOCIATES, LLC,  
PETER VACCARO, M.D.,  
KAMRAN SALEH, M.D.,  
and DOES I through XX,**

## Defendants.

**MOTION TO COMPEL PRODUCTION OF DOCUMENTS BY  
TRI-COUNTY DIAGNOSTIC TESTING SERVICES, LLC**

Bradford Regional Medical Center ("BRMC") hereby moves this Honorable Court pursuant to Fed.R.Civ.P. 45(c)(2)(B) to compel Tri-County Diagnostic Testing Services, LLC ("Tri-County") to produce documents requested by Subpoena issued on March 8, 2007. In support thereof, BRMC avers the following:

1. On March 8, 2007, BRMC served a Subpoena on Tri-County through its counsel. A copy of said Subpoena is attached hereto and incorporated by reference herein.

2. Counsel for Tri-County and counsel for Relators have objected to the Subpoena. Copies of said objections are attached hereto.
3. On March 23, 2007, a telephone conference was held involving counsel for all parties in this action and counsel for Tri-County. The parties and Tri-County were unable to resolve their differences at that time.
4. As of May 10, 2007, Tri-County has still not complied with the Subpoena.
5. Compliance with the Subpoena is necessary in order to enable BRMC to take discovery and prepare for trial.

THEREFORE, BRMC respectfully prays that this Honorable Court order Tri-County to produce the documents requested by the Subpoena and award BRMC reasonable costs and attorneys' fees associated with this Motion as permitted by the Federal Rules of Civil Procedure.

Respectfully submitted,

Date: May 11, 2007

/s/ Daniel M. Mulholland III  
Daniel M. Mulholland III  
Pennsylvania Bar I.D. No. 28806  
HORTY, SPRINGER & MATTERN, P.C.  
4614 Fifth Avenue  
Pittsburgh, PA 15213  
Phone: (412) 687-7677  
Fax: (412) 687-7692  
[dmulholland@hortyspringer.com](mailto:dmulholland@hortyspringer.com)

Attorney for  
Bradford Regional Medical Center

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the attached document was served on each of the following attorneys via the Court's electronic filings system and/or First Class United States mail on the date set forth below:

**Via electronic filing and U.S. mail:**

Carl J. Rychcik, Esquire  
Fox Rothschild LLP  
625 Liberty Avenue  
29th Floor  
Pittsburgh, PA 15222-3115

Andrew M. Stone, Esquire  
Stone & Stone  
828 Frick Building  
437 Grant Street  
Pittsburgh, PA 15219

G. Mark Simpson, Esquire  
Simpson Law Firm, LLC  
165 North Main Street  
Jonesboro, GA 30236

Robert L. Eberhardt, Esquire  
Paul Skirtich, Esquire  
United States Attorney's Office  
Civil Division  
USPO & Courthouse  
Pittsburgh, PA 15219

**Via U.S. mail only:**

Michael Granston, Esquire  
U.S. Department of Justice  
Commercial Litigation Branch  
P.O. Box 261  
Ben Franklin Station  
Washington, DC 20044

John M. Quinn, Jr., Esquire  
James K. McNamara, Esquire  
Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.  
2222 West Brandview Blvd.  
Erie, PA 16506  
(Attorneys for Tri-County)

Date: May 11, 2007

/s/ Daniel M. Mulholland III  
Daniel M. Mulholland III